



2633  
+

PTO/SB/21 (modified)  
Approved for use through xx/xx/xx, OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence during pendency of filed application)</i>	0001/PTO Rev. 10/95	U.S. Department of Commerce Patent and Trademark Office	Application Number	<b>09/853,556</b>
			Filing Date	<b>May 11, 2001</b>
			First Named Inventor	<b>Laurence J. Newell</b>
			Group Art Unit Number	<b>2633</b>
			Examiner Name	<b>Agustin Bello</b>
Total Number of Pages in This Submission		<b>16</b>	Attorney Docket Number	<b>20852-05134</b>

RECEIVED

ENCLOSURES (check all that apply)	
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Check Enclosed	<input type="checkbox"/> Issue Fee Transmittal
<input checked="" type="checkbox"/> Return Receipt Postcard	<input type="checkbox"/> Letter to Chief Draftsperson
<input type="checkbox"/> Response to Notice to File Missing Parts	<input type="checkbox"/> Formal Drawing(s): [ ] Sheet(s) of Figure(s) [ ]
<input type="checkbox"/> Assignment & Recordation Cover Sheet	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Declaration	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Application Data Sheet	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A <input type="checkbox"/> Copies of IDS Cited References	<input type="checkbox"/>
<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/>
<input type="checkbox"/> Request for Correction of Recorded Assignment	<input type="checkbox"/>
<input checked="" type="checkbox"/> Amendment/Response: 13 Page(s) <input type="checkbox"/> After Final	<input type="checkbox"/>
<input type="checkbox"/> Status Request	<input type="checkbox"/>
<input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/>

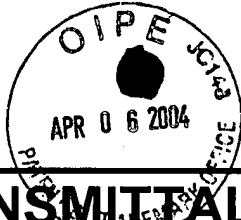
REMARKS:

APR 09 2004

Technology Center 2600

SIGNATURE OF ATTORNEY OR AGENT			
Signature:			
Attorney/Reg. No.:	<b>Michael W. Farn, Reg. No. 41,015</b>	Dated:	<b>April 1, 2004</b>

CERTIFICATE OF MAILING			
I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service pursuant to 37 CFR 1.10.			
Signature:			
Typed or Printed Name:	<b>Michael W. Farn</b>	Dated:	<b>April 1, 2004</b>
Express Mail Mailing Number (optional):			



# FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT (\$)** 475

Complete if Known

Application Number 09/853,556

Filing Date May 11, 2001

First Named Inventor Laurence J. Newell

Examiner Name Agustin Bello

Art Unit 2633

Attorney Docket No. 20852-05134

APR 09 2004

RECEIVED

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account:

Deposit Account Number 19-2555

Deposit Account Name Fenwick & West LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge all required fee(s) or any underpayment of fee(s) due under 37 CFR §1.16 or §1.17 during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

**SUBTOTAL (1)** (\$) -0-

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims		Fee from below	Fee Paid
Total Claims	20	-20**= 0	9	= 0
Independent Claims	2	-3**= 0	43	= 0
Multiple Dependent				=

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9			Claims in excess of 20
1201	86	2201	43			Independent claims in excess of 3
1203	290	2203	145			Multiple dependent claim, if not paid
1204	86	2204	43			**Reissue independent claims over original patent
1205	18	2205	9			**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$) -0-

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued) Technology Center 2600

### 3. ADDITIONAL FEES


Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	475
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(g)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3)** (\$) 475

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

Name (Print/Type)	Michael W. Farn	Registration No. (Attorney/Agent)	41,015	Telephone (650) 335-7823
Signature				Date April 1, 2004



11/2004  
4/14/04  
[Signature]

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Laurence J. Newell, David A. Pechner, Augustus Elmer and David B. Upham

SERIAL NO.: 09/853,556

FILING DATE: May 11, 2001

TITLE: Control channel for an optical communications system utilizing frequency division multiplexing

EXAMINER: Agustin Bello

GROUP ART UNIT: 2633

ATTY. DKT. NO.: 20852-05134

RECEIVED

APR 09 2004

Technology Center 2600

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: APRIL 1, 2004

By: [Signature]  
Michael W. Farn, Reg. No. 41,015

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

AMENDMENT A

Dear Examiner:

This amendment is in response to the Office Action mailed October 1, 2003 (Paper No. 8), which established a shortened statutory period for response that expired on January 1, 2004.

A fee for a three-month extension of time is included herewith.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

04/07/2004 JDBALINAH 00000137 09853556

01 1C:2253

475.00 OP